

BURR RIDGE VILLAGE CODE

CHAPTER 6

ANIMALS

Article I. General Provisions.

<u>Sec. 6-1-1</u>	<u>Cruelty.</u>
<u>Sec. 6-1-2</u>	<u>Dangerous animals.</u>
<u>Sec. 6-1-3</u>	<u>Noises.</u>
<u>Sec. 6-1-4</u>	<u>Prohibited animals.</u>
<u>Sec. 6-1-5</u>	<u>Killing dangerous animals.</u>
<u>Sec. 6-1-6</u>	<u>Diseased animals.</u>
<u>Sec. 6-1-7</u>	<u>Animal Waste.</u>

Article II. Dogs and Cats

<u>Sec. 6-2-1</u>	<u>Definitions.</u>
<u>Sec. 6-2-2</u>	<u>Animal Regulation Officer.</u>
<u>Sec. 6-2-3</u>	<u>Vaccination against rabies.</u>
<u>Sec. 6-2-4</u>	<u>Dogs running at large.</u>
<u>Sec. 6-2-5</u>	<u>Vicious dogs.</u>
<u>Sec. 6-2-6</u>	<u>Impoundment.</u>
<u>Sec. 6-2-7</u>	<u>Redemption or disposal of dogs or cats.</u>
<u>Sec. 6-2-8</u>	<u>Rabies control.</u>
<u>Sec. 6-2-9</u>	<u>Records.</u>
<u>Sec. 6-2-10</u>	<u>Female dogs and cats in heat.</u>
<u>Sec. 6-2-11</u>	<u>Keeping of certain dogs or cats declared a nuisance.</u>
<u>Sec. 6-2-12</u>	<u>Prohibited areas - dogs.</u>
<u>Sec. 6-2-13</u>	<u>Penalty.</u>
<u>Sec. 6-2-14</u>	<u>Payment to avoid prosecution.</u>

ARTICLE I Animals

Sec. 6-1-1

Cruelty.

No person shall cruelly treat any animal in the Village in any way; any person who inhumanely beats, underfeeds, overloads or abandons any animal shall be deemed guilty of a violation of this section.

Sec. 6-1-2

Dangerous Animals.

It shall be unlawful to permit any dangerous animal or any vicious animal of any kind to run at large within the Village; exhibitions or parades of animals which are fierce in nature in the eyes of the law may be conducted only upon securing a permit from the Chief of Police.

Sec. 6-1-3

Noises.

It shall be unlawful to harbor or keep any animal which disturbs the peace by loud noises at any time of the day or night.

Sec. 6-1-4

Prohibited animals.

It shall be unlawful to keep or maintain cattle, swine, sheep or goats in the Village. No other animals may be maintained in the Village for any purpose other than as pets except as otherwise permitted in pet shops and animal hospitals.

Sec. 6-1-5

Killing dangerous animals.

The members of the police department, or any other person in an emergency, are authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

Sec. 6-1-6

Diseased animals.

No domestic animal afflicted with a contagious disease or an infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the county health officer.

It is the duty of the county health officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of contagion or infection, except in cases where only the state veterinarian is empowered to act, and it shall be unlawful for any person to interfere with the county health officer or state veterinarian in the furtherance of their duties.

Sec. 6-1-7

Animal waste.

It shall be unlawful for any person to cause or permit any animal to be on any property, public or private, not owned or possessed by such person unless such person has in his immediate possession a device for the immediate removal of excrement to a receptacle located upon property owned or possessed by such person.

It shall be unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to immediately remove excrement left by such animal to a proper receptacle located on property owned or possessed by such person.

ARTICLE II. Dogs and Cats
(section amended by A-231-1-97)

Sec. 6-2-1

Definitions.

Where used in this article, the following terms shall have the meanings respectively ascribed to them in this section.

Dogs.

All domestic animals of the canine species.

Cats.

All domestic animals of the feline species.

Owner or keeper.

Any person, firm or corporation owning, harboring or keeping a dog or cat within the Village either temporarily or permanently, or permitting a dog or cat to be within the Village either temporarily or permanently.

Kennel.

Any establishment engaged in the commercial business of breeding, showing, buying, selling or boarding of dogs and cats.

Animal Regulation Officer.

All members of the Police Department.

Running at Large.

Any dog or cat shall be deemed to be running at large when it is off the premises of its owner or keeper and not under adequate restraint of a competent person. A dog or cat is under adequate restraint within the meaning of this chapter if it is on its owner's or keeper's premises; or under the owner's or keeper's or other competent person's control on a stout leash not more than eight (8) feet in length; or at heel near a competent person and obedient to that person's commands.

Competent person.

A person who is physically and mentally capable of managing and controlling a dog or cat which is his or her responsibility while off the premises of the owner or keeper thereof.

Vicious dog.

(i) Any individual dog that when unprovoked inflicts, bites or attacks a human being or other animal either on public or private property; (ii) any individual dog with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals; (iii) any individual dog which attacks a human being or domestic

animal without provocation; (iv) any individual dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting; (v) any individual dog which has been found to be a "dangerous dog" upon three separate occasions; and (vi) no dog shall be deemed "vicious" if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it or is a professionally trained dog for law enforcement or guard duties.

Dangerous dog.

Any individual dog which when either unmuzzled, unleashed, or unattended by its owner, or a member of its owner's family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, or any public grounds or places.

Enclosure.

A fence or structure of at least six feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of a vicious dog. Such enclosure shall be securely enclosed and locked and designed with secure sides, top and bottom and shall be designed to prevent the animal from escaping from the enclosure.

Impounded.

Taken into the custody of the public pound in the city or town where the vicious dog is found.

Run line.

A system of tying a dog in place with either rope or chain having a tensile strength of at least 300 pounds.

Sec. 6-2-2

Animal Regulation Officer.

The Animal Regulation Officer shall enforce animal regulations and perform such other duties as may be prescribed by the Chief of Police.

Sec. 6-2-3

Vaccination against rabies.

Except as otherwise in this section provided, it shall be unlawful to own or keep within the Village any dog or cat which has not been vaccinated against rabies by a licensed veterinarian within the preceding three years, or within the then calendar year; provided, however, that it shall not be unlawful to keep an unvaccinated dog or cat which is under four months of age; and further provided, however, it shall not be unlawful if said dog or cat has been vaccinated in accordance with the Illinois Animal Control Act and lawful regulations promulgated thereunder. Evidence of vaccination shall be the standard vaccination tag issued by Cook County or DuPage County, or a lawfully authorized and licensed veterinarian, and worn around the neck of the animal.

Sec. 6-2-4

Dogs and Cats Running at Large.

- (a) It shall be unlawful for any dog or cat to run at large. For the purposes of this section, any dog or cat not upon the premises of the owner or such other person having custody, possession or control over any such dog or cat which is not on a leash and under the control of a person physically able to control it, shall be deemed to be running at large. All dogs and

cats found to be running at large shall be promptly impounded by the Chief of Police or any person authorized by him for this purpose.

- (b) Any person owning, having custody, possession or control over any dog or cat which violates any provision of this section shall be guilty of an unlawful act.

Sec. 6-2-5

Vicious dogs.

It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless such dog is at all times kept in an enclosure or on a run line. The only times that a vicious dog may be allowed out of the enclosure or off the run line are (1) if it is necessary for the owner or keeper to obtain veterinary care for the vicious dog or (2) to sell or give away the vicious dog or (3) to comply with the order of a court of competent jurisdiction, provided that said vicious dog is securely muzzled and restrained with a chain having a tensile strength of 300 pounds and not exceeding three feet in length, and shall be under the direct control and supervision of the owner or keeper of the vicious dog.

Any dog which has been found to be a vicious dog and which is not confined to an enclosure or on a run line shall be impounded by the law enforcement authority having jurisdiction in such area and shall be turned over to a licensed veterinarian for destruction by lethal injection.

Any owner or keeper of a vicious dog who shall sell or give away, or who shall possess with the intent to sell, any vicious dog shall give written notice to the person who will be receiving the vicious dog that said dog has been found to be a vicious dog.

Sec. 6-2-6

Impoundment.

Dogs and cats found running at large or found abandoned, shall be taken up by the Police Department and impounded. A record shall be made of same, entering the breed, color and sex, and whether licensed or not and the name and address of the owner or keeper, if known. Such dogs or cats so impounded will be confined in a humane manner. All such dogs or cats not claimed by the owner thereof shall be held for a period of not less than 24 hours and thereafter shall be turned over to the appropriate County agency. DuPage County is hereby designated as the official facility for impoundment, release and disposal of such dogs or cats where appropriate.

Sec. 6-2-7

Redemption or disposal of dogs and cats.

Any dog or cat so impounded may be redeemed by the owner or keeper thereof by the payment to the Village of an impounding fee of five dollars (\$5.00) plus the cost of catching and the cost of keeping such dog or cat while impounded. Anything in this chapter to the contrary notwithstanding, no dog or cat suspected of having rabies shall be released within less than ten days following its impounding. Any such dog or cat shall be held and dealt with in the manner hereinafter provided. (A-231-2-97)

Sec. 6-2-8

Rabies control.

Whenever the Police Department receives information that any person has been bitten by a dog or other animal, the Chief of Police or his authorized agent shall have such dog or other animal confined and observed by a licensed veterinarian. Such veterinarian shall report, in writing, to the appropriate Rabies Control Office of either Cook or DuPage County within 24 hours after the dog or other animal is confined by him the owner's name, address and date of confinement, the breed, description, age and sex of the dog or other animal. Such veterinarian shall confine the dog or other animal for ten days and notify the appropriate Rabies Control Office in writing of the final disposition of the dog or other

animal at the termination of the period of confinement. If, however, the licensed veterinarian is presented evidence that such dog or other animal has been inoculated against rabies within the time prescribed by law prior to the biting, such dog or other animal shall be confined in the house of its owner or in a manner that will prohibit such dog or other animal from biting any person for a period of ten days, unless in the judgement of the licensed veterinarian circumstances are such that the dog or other animal should be confined elsewhere. At the end of the 10 day period, the dog or other animal shall be examined by a licensed veterinarian. It is unlawful for any person having knowledge that any person has been bitten by a dog or other animal to fail or refuse to notify the Police Department promptly. It is unlawful for the owner of such dog or other animal to sell or give away or otherwise dispose of such dog or other animal that is known to have bitten a person until it is released by the Police Department or its authorized agent. It is unlawful for the owner of such dog or other animal to refuse or fail to comply with the written or printed recommendations of such licensed veterinarian in any particular case. The written or printed recommendations shall, if possible, be delivered in person by the Police Department or its properly authorized agent. If such recommendations cannot be delivered in person, they shall be mailed by regular mail, postage pre-paid, and addressed to the owner of the dog or other animal. The affidavit or testimony of the police officer or other properly authorized agent of the Police Department who delivered or mailed such recommendations shall be prima facie evidence of the receipt of such recommendations by the owner of the dog or other animal. Any expense incurred in the handling of any dog or other animal, including the fees of any veterinarian, shall be borne by the owner.

Sec. 6-2-9

Records.

It shall be the duty of the Police Department to keep or cause to be kept accurate records of all impoundments and other dispositions of all dogs or cats coming into its custody.

Sec. 6-2-10

Female dogs and cats in heat.

The owner or keeper of any female dog or cat shall not permit or suffer such dog or cat, while in heat, to be upon any sidewalk, street, parkway, alley, or other public place, or upon any private premises, other than the premises of the owner or keeper, or, if outdoors, upon any unfenced part of the premises of the owner or keeper which is closer to a sidewalk, street, parkway, alley, or other public place than ten feet.

Sec. 6-2-11

Keeping of certain dogs or cats declared a nuisance.

It is hereby declared a nuisance to keep within the Village any dog or cat which disturbs the peace and quiet of any neighborhood by habitual barking, howling, whining, or yowling, or to keep on the premises a female dog or cat in heat which causes other dogs or cats to disturb the peace and quiet of any neighborhood by habitual barking, howling, whining, or yowling.

Sec. 6-2-12

Prohibited areas - dogs and cats.

It shall be unlawful for the owner or keeper of a dog or cat to permit the dog or cat to be in any public park in the Village, whether on a leash or not.

Sec. 6-2-13

Penalty.

- a. Except as otherwise provided in this Section, the penalty for violation for any provision of this article shall be as provided in Section 1.05 of Chapter 1 of this Code.
- b. The violation of any of the provisions of Section 6-2-4 or 6-2-12 shall be punished by a fine

of not less than \$10.00 for the first offense in a calendar year, not less than \$15.00 for the second offense in a calendar year, and not less than \$25.00 for the third offense in a calendar year; provided, however, that the fine for a violation of Section 6-2-4 or Section 6-2-12 with respect to a fierce, vicious, or dangerous dog shall not be less than \$50.00, and in addition, any such dog may be held impounded in accordance with Section 6-2-6. No fine pursuant to this subsection shall exceed \$750.00. (Amended by A-231-1-96)

- c. The violation of Section 6-2-10 shall be punished by a fine not less than \$25.00 nor more than \$750.00 and the court may, upon such conviction, order the offending dog or cat, committed to a kennel at the owner's expense until the animal's period of heat shall terminate. (Amended by A-231-1-96)
- d. In addition to the fine for violation of Section 6-2-11, the court may order such dog or cat removed from the Village forthwith.

Sec. 6-2-14

Payment to avoid prosecution.

A person charged with a violation of Section 6-2-4 (dogs and cats not to run at large) and Section 6-2-12 (prohibited areas) may avoid prosecution by making payment to the Village of the sum of \$10.00 if payment is made within ten (10) to thirty (30) days after the date of the charge. If the violation constitutes a second offense, or subsequent, within the same calendar year, a court appearance is required.